

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

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P.O. BOX 601
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Finland

PCT

WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY
EXAMINING AUTHORITY

(PCT Rule 66)

Date of mailing
(day/month/year)

22-02-2006

22.2.06

Applicant's or agent's file reference

P2558PC00/TK (PCT237)

REPLY DUE

within 60 days from
the above date of mailing

International application No.

PCT/FI2005/050048

International filing date (day/month/year)

24-02-2005

Priority date (day/month/year)

25-02-2005

International Patent Classification (IPC) or both national classification and IPC

See Supplemental Box

Applicant

Nokia Corporation et al

1. ☒ The written opinion established by the International Searching Authority:

☒ is

☐ is not

considered to be a written opinion of the International Preliminary Examining Authority.

2. This Second (first, etc.) opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

3. The applicant is hereby invited to reply to this opinion.

When? See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(e).

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4bis.
For an informal communication with the examiner, see Rule 66.6.
For an additional opportunity to submit amendments, see Rule 66.4.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.

4. The final date by which the international preliminary report on patentability (Chapter II of the PCT) must be established according to Rule 69.2 is:

25-06-2006

Name and mailing address of the IPEA/SE

Patent- och registreringsverket
Box 5055
S-102 42 STOCKHOLM

Facsimile No. 46 8 667 72 88

Form PCT/IPEA/408 (cover sheet) (April 2005)

Authorized officer

Jesper Bergstrand/MN

Telephone No. 46 8 782 25 00

WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

International application No.

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Cover sheet

INTERNATIONAL PATENT CLASSIFICATION (IPC) :

H04N 13/00 (2006.01)

H04N 5/247 (2006.01)

**WRITTEN OPINION OF THE
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International application No.

PCT/FI2005/050048

Box No. I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of:

- ☒ the international application in the language in which it was filed
- ☐ a translation of the international application into _____,
which is the language of a translation furnished for the purposes of:
- ☐ international search (Rules 12.3(a) and 23.1(b)).
- ☐ publication of the international application (Rule 12.4(a)).
- ☐ international preliminary examination (Rules 55.2(a) and/or 55.3(a)).

2. With regard to the elements of the international application, this opinion has been established on the basis of (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed."*):

- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1 - 24 _____ as originally filed/furnished
- pages _____ received by this Authority on _____
- pages _____ received by this Authority on _____
- ☒ the claims:
- pages _____ as originally filed/furnished
- pages 25 - 29 _____ as amended (together with any statement) under Article 19
- pages _____ received by this Authority on _____
- pages _____ received by this Authority on _____
- ☒ the drawings:
- pages 7 _____ as originally filed/furnished
- pages _____ received by this Authority on _____
- pages _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs. _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to the sequence listing (*specify*): _____

4. ☐ This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs. _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to the sequence listing (*specify*): _____

WRITTEN OPINION OF THE
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International application No.

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Box No. V Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement:

Novelty (N)	Claims:	<u>1, 10, 19, 26</u>
	Claims:	
Inventive step (IS)	Claims:	<u>1-27</u>
	Claims:	
Industrial applicability (IA)	Claims:	
	Claims:	

2. Citations and explanations:

This report has been based on the amended claims filed under article 19 with the letter of 29-08-2005.

Reference is made to the following document:

D1: EP0830034 A

From D1 an electronic equipment, which includes camera means for forming data on an object located in the imaging direction, in which case the said camera means include at least two camera units, which mutual distance can be adjusted and which are arranged to be turnable relative to each other and data processing means, which are arranged to process the data formed by the camera means, according to the currently chosen imaging mode of the equipment, in order to form image information and in which equipment, the mutual position of the camera units relative to each other is arranged to be altered to correspond to the current imaging mode is known (refer to page 34, line 5-page 35, line 37; figures 3, 4, 21a, 46, 47, 55 and 56; claims 30, 33, 34 and 44 and abstract), wherein a turning of the camera units relative to each other is arranged with the adjustment of the distance between the camera units (refer to the 18th embodiment, and especially page 34, lines 50-55 and figures 55 and 56).

Consequently, the subject matter of claim 1 is previously known and therefore lacks novelty.

Since the present invention according to the independent claims 10 (system), 19 (method) and 26 (camera module) does not encompass any technical features not present in claim 1, the analysis above concerning claim 1 is also applicable to these claims.

Hence, the present invention according to claims 10, 19 and 26 lacks novelty over D1, and is therefore not patentable.

.../...

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.
Continuation of: BOX V

Furthermore, the methods/systems/camera module referred to in claims 2-9, 11-18, 20-25 and 27 are considered to lack an inventive step over D1, since what is defined in these claims is not considered to differ essentially from what is known from the cited document (D1). If it can be shown that some aspect covered by claims 2-9, 11-18, 20-25 and 27 provides unexpected effects and the claims are restricted accordingly, the judgement may be reconsidered. Until these conditions are met, claims 2-9, 11-18, 20-25 and 27 are not considered to involve an inventive step.

Consequently, the claimed invention according to claims 1, 10, 19 and 26 lacks novelty over D1, whereas the claimed invention according to claims 2-9, 11-18, 20-25 and 27 is novel, but not considered to involve an inventive step over the teachings of D1.

Further, the claimed invention according to claims 1-27 is industrially applicable.